



Seed – Wise

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SEED PROGRAM OFFERS NEW TEST

The Seed Program is pleased to announce that we have been certified by BASF to perform Clearfield Bio-assay testing for wheat. This test screens samples for the presence of Clearfield technology. The fee charged for this test will be \$50. Please call Victor Shaul at (509) 225-2630 if you have any questions.

SEED MERCHANTS TO BE LICENSED & BONDED

OLYMPIA – Businesses purchasing seed from Washington farmers must be licensed and bonded with the Washington State Department of Agriculture (WSDA) under legislation recently signed into law by Gov. Locke. The new requirements take effect on June 10, 2004.

WSDA's Commission Merchants Program will do the licensing. There are four licensing categories and most seed businesses will fall in the Dealer or Commission Merchant category, said Jerry Buendel, program manager.

The program works to resolve complaints of nonpayment or illegal practices by farmers and consignors against businesses. While most disputes are resolved by mediation, the agency claims about two bonds each year. Over the last three year the agency has received 238 complaints involving \$12.9 million and has recovered \$5.33 million for Washington farmers.

The Commission Merchants Act, Chapter 20.01 RCW, was put in place more than 70 years ago and has been updated to protect farmers from fraud and other unscrupulous business practices. The bankruptcy of a major seed purchaser, AgriBioTech (ABT), in late 1999

highlighted the need to protect seed producers in the state. Fifty-five producers went unpaid for \$5.4 million in seed they sold to ABT.

"The ABT bankruptcy caused us to take a hard look at the seed industry. We discovered that only about half of the seed businesses were licensed and bonded, Buendel said. "The recent legislation clears up the requirements."

Under the legislation, businesses that contract for seed production, receive seed on consignment or sell seed on a commission basis must be licensed and bonded. Businesses purchasing seed from producers on a cash basis or acting as a broker must also be licensed, but are not required to be bonded. An advisory group made up of seed businesses and producers crafted the legislation.

The licensees are required to post bonds or a suitable security based on a formula that considers the amount companies owe the farmers. The minimum bond is \$15,000.

Bob Radke, investigations supervisor for the program, said WSDA encourages producers to check the Web site or to contact the agency directly to find out if the business they are dealing with is licensed and bonded.

"Operating without a license is a civil infraction that carries fines up to \$5000 plus court costs," Radke said. "In some cases violations can be prosecuted as a Class C felony that is punishable with up to eight years in prison."

Radke added that WSDA will increase its enforcement activities against unlicensed dealers across all commodities.

Application forms and bond forms can be found on WSDA's web site at

www.agr.wa.gov/Inspection/CommissionMerchants. They may also be obtained by calling WSDA at (360) 902-1854 or (509) 225-2616. The site also includes a list of businesses licensed with the department.

LEVEL OUT THE TESTING SEASON

Would you like the testing season to go a bit smoother? Here are some tips on what you can do to help:

1. **Write clearly on each sample.** We need to be able to distinguish between an S and a 5.

2. **Please indicate the type of crop.** Don't write just Brome or Bluegrass. Tell us what kind it is.

3. **Write the whole company name and address on the sample.**

Since there are many companies with different addresses or similar names, this will help us know where to send the lab results.

4. **Indicate exactly which tests you want.** If you want an All States Noxious with your purity, or a crop and weed exam, make sure it is on the sample. If you want your test results faxed, include that also.

By following these tips, it will help to make this a more accurate season. If we all work together, we can make this our best year ever!



FYI

Seed-Wise is provided as an information channel allowing you to keep on top of current happenings in the Seed Program.

E-mail any questions or suggestions to Judy Radke-Cyrus at jradke@agr.wa.gov. If you know of someone that may be interested in being on our list, please let us know.